

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re LEHMAN BROTHERS SECURITIES
AND ERISA LITIGATION

Civil Action 09-MD-2017 (LAK)

This Document Applies To:

**MOTION TO ADMIT COUNSEL PRO
HAC VICE**

County of Alameda v. Ernst & Young LLP, et al.,
Civil Action 09-CV-7877-LAK

City of Cerritos v. Citigroup Global Markets, Inc.,
et al., Civil Action 09-CV-7878-LAK

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for
the Southern and Eastern Districts of New York, I, Louis F. Burke, a member in good standing
of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Bruce L. Simon
Pearson, Simon, Warshaw & Penny, LLP
44 Montgomery Street, Suite 2450
San Francisco, CA 94104
Phone Number: (415) 433-9000
Fax Number: (415) 433-9008
Email: bsimon@pswplaw.com

Bruce L. Simon is a member in good standing of the Bar of the State of California.

There are no pending disciplinary proceedings against Bruce L. Simon in any State or Federal
court.

Dated: October 23, 2009
City, State: New York, New York

Respectfully submitted,

By: 

Louis F. Burke
LOUIS F. BURKE P.C.
460 Park Avenue, 21st Floor
New York, New York 10022
Telephone: (212) 682-1700
Facsimile: (212) 808-4280

*Counsel for Plaintiffs City of Cerritos and
County of Alameda*

NOV 18 2009

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re LEHMAN BROTHERS SECURITIES
AND ERISA LITIGATION

Civil Action 09-MD-2017 (LAK)

**AFFIDAVIT OF LOUIS F. BURKE IN
SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

This Document Applies To:

County of Alameda v. Ernst & Young LLP, et al., Civil Action 09-CV-7877-LAK; and

City of Cerritos v. Citigroup Global Markets, Inc., et al., Civil Action 09-CV-7878-LAK

Louis F. Burke, being duly sworn, hereby deposes and says as follows:

1. My firm, Louis F. Burke, P.C., is counsel for Plaintiffs City of Cerritos and County of Alameda in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Bruce L. Simon as counsel pro hac vice to represent Plaintiffs in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1973. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Bruce L. Simon since August 2009.
4. Mr. Simon is a named partner at Pearson, Simon, Warshaw & Penny, LLP, in San Francisco, California.
5. I have found Mr. Simon to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
6. Accordingly, I am pleased to move the admission of Bruce L. Simon, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Bruce L. Simon, pro hac vice, which is attached hereto as Exhibit A.

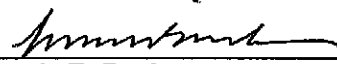
WHEREFORE, it is respectfully requested that the motion to admit Bruce L. Simon, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: October 16, 2009
City, State: New York, New York
Notarized:



LESLIE WYBIRAL
NOTARY PUBLIC - STATE OF NEW YORK
NO. 02WY6155591
QUALIFIED IN NEW YORK COUNTY
MY COMMISSION EXPIRES NOV. 13, 2010

Respectfully submitted,

By: 

Louis F. Burke
LOUIS F. BURKE P.C.
460 Park Avenue, 21st Floor
New York, New York 10022
Telephone: (212) 682-1700
Facsimile: (212) 808-4280

*Counsel for Plaintiffs City of Cerritos and
County of Alameda*



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

November 9, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, BRUCE LEE SIMON, #096241 was admitted to the practice of law in this state by the Supreme Court of California on December 16, 1980; that said public record states that information has been provided pursuant to Business and Professions Code section 6086.1(c); that from the date of admission to June 27, 1983, he was an ACTIVE member of the State Bar of California; that on June 27, 1983, he was suspended from the practice of law in California by order of the Supreme Court for nonpayment of State Bar membership fees; that said suspension remained in effect to December 8, 1983 upon which last mentioned date he was reinstated by the Supreme Court upon payment of all delinquent State Bar fees and penalties; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Sima La Fontaine".

Sima La Fontaine
Custodian of Membership Records

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re LEHMAN BROTHERS SECURITIES
AND ERISA LITIGATION

Civil Action 09-MD-2017 (LAK)

This Document Applies To:

**[PROPOSED] ORDER FOR ADMISSION
PRO HAC VICE**

County of Alameda v. Ernst & Young LLP, et al.,
Civil Action 09-CV-7877-LAK

City of Cerritos v. Citigroup Global Markets, Inc.,
et al., Civil Action 09-CV-7878-LAK

Upon the motion of Louis F. Burke, attorney for Plaintiffs City of Cerritos and County of Alameda and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Bruce L. Simon
Pearson, Simon, Warshaw & Penny, LLP
44 Montgomery Street, Suite 2450
San Francisco, CA 94104
Phone Number: (415) 433-9000
Fax Number: (415) 433-9008
Email: bsimon@pswplaw.com

is admitted to practice pro hac vice as counsel for Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

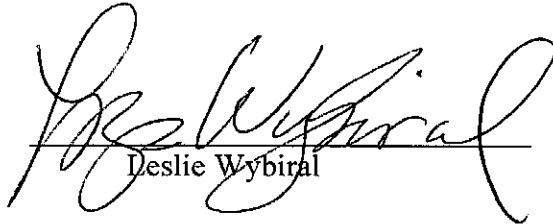
Hon. Lewis A. Kaplan
United States District Judge

CERTIFICATE OF SERVICE

I, Leslie Wybiral, hereby certify that on October 30, 2009, I caused a true and correct copy of the attached:

1. Motion to Admit Counsel *Pro Hac Vice*;
2. Affidavit of Louis F. Burke in Support of the Motion to Admit Counsel *Pro Hac Vice*; and
3. [Proposed] Order for Admission *Pro Hac Vice*

to be served by first-class mail to all counsel of record in the current action.



Leslie Wybiral

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